

House Study Bill 501

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL
BY CHAIRPERSON ELGIN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to elections by making changes concerning
2 requirements for entrances to certain polling places,
3 arrangement of names on the ballot for nonpartisan offices,
4 and election registers, and including effective and
5 applicability date provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5039HC 81
8 sc/sh/8

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1 1 Section 1. Section 49.10, subsection 4, Code 2005, is
1 2 amended to read as follows:
1 3 4. ~~No~~ A single room or area of any building or facility
1 4 ~~shall~~ may be fixed as the polling place for more than one
1 5 precinct ~~unless there are separate entrances each. The~~
1 6 location of each polling place shall be clearly marked within
1 7 the room or area on the days on which elections are held as
1 8 the entrance to location of the polling place of a particular
1 9 precinct, and suitable arrangements ~~are~~ shall be made within
1 10 the room or area to prevent direct access from the polling
1 11 place of any precinct to the polling place of any other
1 12 precinct. When the commissioner has fixed such a polling
1 13 place for any precinct it shall remain the polling place at
1 14 all subsequent elections, except elections for which the
1 15 precinct is merged with another precinct as permitted by
1 16 section 49.11, until the boundaries of the precinct are
1 17 changed or the commissioner fixes a new polling place, except
1 18 that the polling place shall be changed to a point within the
1 19 boundaries of the precinct at any time not less than sixty
1 20 days before the next succeeding election that a building or
1 21 facility suitable for such use becomes available within the
1 22 precinct.

1 23 Sec. 2. Section 49.31, subsection 2, unnumbered paragraph
1 24 2, Code 2005, is amended to read as follows:
1 25 On the general election ballot the names of candidates for
1 26 the nonpartisan offices listed in section 39.21 shall be
1 27 arranged by drawing lots for position. ~~The board of~~
1 28 ~~supervisors commissioner~~ shall hold the drawing ~~at its first~~
1 29 ~~meeting on the first business day~~ following the deadline for
1 30 ~~receipt of objections and withdrawals by candidates~~ filing of
1 31 nomination certificates or petitions with the commissioner for
1 32 the general election pursuant to section 44.4.

1 33 Sec. 3. Section 49.77, subsections 1 and 2, Code 2005, are
1 34 amended to read as follows:

1 35 1. The board members of their respective precincts shall
2 1 have charge of the ballots and furnish them to the voters.
2 2 Any person desiring to vote shall sign a voter's declaration
2 3 provided by the officials, in substantially the following
2 4 form:

VOTER'S DECLARATION OF ELIGIBILITY

2 6 I do solemnly swear or affirm that I am a resident of the
2 7 precinct, ward or township, city of, county
2 8 of, Iowa.

2 9 I am a registered voter. I have not voted and will not
2 10 vote in any other precinct in said election.

2 11 I understand that any false statement in this declaration
2 12 is a criminal offense punishable as provided by law.

2 13
2 14 Signature of Voter
2 15

2 16 Address
2 17
2 18 Telephone

2 19 Approved:
2 20
2 21 Board Member

2 22 At the discretion of the commissioner, this declaration may
2 23 be printed on each page of the election register and the voter
2 24 shall sign the election register next to the voter's printed
2 25 name. The voter's signature in the election register shall be
2 26 considered the voter's signed declaration of eligibility
2 27 affidavit. The state commissioner of elections shall
2 28 prescribe by rule an alternate method for providing the
2 29 information in subsection 2 for those counties where the
2 30 declaration of eligibility is printed in the election
2 31 register. The state voter registration system shall be
2 32 designed to allow for the affidavit to be printed on each page
2 33 of the election register and to allow sufficient space for the
2 34 voter's signature.

2 35 2. One of the precinct election officials shall announce
3 1 the voter's name aloud for the benefit of any persons present
3 2 pursuant to section 49.104, subsection 2, 3, or 5. Any If the
3 3 declaration of eligibility is not printed on each page of the
3 4 election register, any of those persons may upon request view
3 5 the signed declarations of eligibility and may review the
3 6 signed declarations on file so long as the person does not
3 7 interfere with the functions of the precinct election
3 8 officials. If the declaration of eligibility is printed on
3 9 the election register, the precinct election official shall
3 10 make available for viewing a listing of those voters who have
3 11 signed declarations of eligibility. Any of those persons
3 12 present pursuant to section 49.104, subsection 2, 3, or 5, may
3 13 upon request view the listing of those voters who have signed
3 14 declarations of eligibility, so long as the person does not
3 15 interfere with the functions of the precinct election
3 16 officials.

3 17 Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This Act,
3 18 being deemed of immediate importance, takes effect upon
3 19 enactment and applies to elections held after the effective
3 20 date of this Act.

3 21 EXPLANATION

3 22 This bill makes changes relating to the conduct of
3 23 elections.

3 24 The bill removes the requirement that a room or area
3 25 containing a polling place for more than one precinct maintain
3 26 separate entrances.

3 27 The bill provides that on general election ballots the
3 28 names of candidates for nonpartisan offices shall be drawn by
3 29 lot by the county commissioner of elections, rather than the
3 30 board of supervisors. The bill also provides that the drawing
3 31 shall be conducted on the first business day following the
3 32 deadline for filing candidate nomination certificates or
3 33 petitions with the county commissioner of elections.

3 34 The bill allows a county commissioner of elections to print
3 35 the affidavit of eligibility on each page of the election
4 1 register, and the signature of the voter in the register next
4 2 to the voter's printed name serves as that voter's declaration
4 3 of eligibility. The state commissioner of elections is
4 4 required to adopt rules providing an alternative method for
4 5 observers allowed at the polling place to view a listing of
4 6 those voters who have signed on the election register. The
4 7 bill also provides that the state voter registration system
4 8 shall be designed to accommodate affidavits and declarations
4 9 of eligibility being printed and signed on the election
4 10 register.

4 11 The bill takes effect upon enactment and applies to
4 12 elections held after the effective date.

4 13 LSB 5039HC 81

4 14 sc:rj/sh/8